

AMENDMENT TO H. RES. 676

OFFERED BY M____.

Add at the end the following new section:

1 SEC. 4. With respect to any civil action which the
2 Speaker initiates, or in which the Speaker intervenes, on
3 behalf of the House of Representatives pursuant to this
4 resolution, Rule 11(c) of the Federal Rules of Civil Proce-
5 dure shall apply as follows:

6 (1) The court may not decline to impose an ap-
7 propriate sanction on the House of Representatives,
8 the Speaker, or any outside counsel or expert em-
9 ployed under section 3 for a violation, or for being
10 responsible for a violation, of Rule 11(b) of such
11 Federal Rules.

12 (2) A motion for such sanctions may be filed or
13 be presented to the court if the challenged paper,
14 claim, defense, contention, or denial is withdrawn or
15 appropriately corrected within 21 days after service
16 or within another time the court sets. If warranted,
17 the court may award to the prevailing party the rea-
18 sonable expenses, including attorney's fees, incurred
19 for the motion.

1 (3) A sanction imposed under the rule must be
2 limited to what suffices to deter repetition of the
3 conduct or comparable conduct by others similarly
4 situated and to compensate the parties that were in-
5 jured by such conduct.

6 (4) Subject to the limitations in paragraph (5)
7 of Rule 11(c), the sanction shall consist of an order
8 to pay to the party or parties the amount of the rea-
9 sonable expenses incurred as a direct result of the
10 violation, including reasonable attorneys' fees and
11 costs. The court may also impose additional appro-
12 priate sanctions, such as striking the pleadings, dis-
13 missing the suit, or other directives of a nonmone-
14 tary nature, or, if warranted for effective deterrence,
15 an order directing payment of a penalty into the
16 court.

